

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONICIA LA TRESSA BENJAMIN,

Petitioner,

v.

GABRIELA GARCIA NAJERA, et al.,

Respondents.

Case No. 2:22-cv-01059-APG-VCF

ORDER

(ECF No. 1)

Petitioner Ronicia La Tressa Benjamin, proceeding *pro se*, has filed an Application to Proceed *In Forma Pauperis* (“IFP”). ECF No. 1. Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. A federal district court may authorize a person to begin an action without prepaying fees and costs if the person submits an IFP application on the approved form along with the appropriate supporting documentation. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

Although Benjamin submitted the required form, the supporting documents show she is able to pay the \$5.00 filing fee. *See* ECF No. 1. Thus, she does not qualify for a fee waiver. I therefore deny her IFP application. Benjamin has 45 days from the date of this order to pay the filing fee.

I THEREFORE ORDER:

1. Petitioner Ronicia La Tressa Benjamin’s Application to Proceed *In Forma Pauperis* (ECF No. 1) is **DENIED**.
2. Within 45 days of the date of this order, Benjamin must pay the \$5 filing fee.
3. The initial screening of Benjamin’s petition for writ of habeas corpus under the Rules Governing Section 2254 Cases is deferred to until she has fully complied with this order.
4. The Clerk of Court is instructed to send Benjamin *two* copies of this order. Benjamin must make necessary arrangements to have a copy of this order attached to the check for the filing fee.
5. Failure to timely comply with this order will result in the dismissal of this action

without prejudice and without further advance notice.

Dated: July 20, 2022



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE